
Gibson County Board of Commissioners

Regular Session

December 16, 2008

The Gibson County Board of Commissioners met in regular session on December 16, 2008, at 9 AM in the North Annex Meeting Room.

Members present: Members absent:

N. Sherrell Marginet, Pres. Don Whitehead, VP

Bob Townsend Jerry Stilwell, Attorney

The meeting was brought to order by all present standing and reciting the Pledge of Allegiance.

Approval of Minutes: The minutes from the November 18 and December 2, 2008, meetings were approved with a motion by Whitehead seconded by Townsend and passed 3-0.

Approval of Claims: The following claims were submitted for approval: Payroll, 12/5/08, \$283,565.70 and 12/19/08, \$301,992.20; Highway, \$314,823.52; Sheriff, \$17,641.99; County General, \$146,303.16. These claims were approved with a motion by Whitehead seconded by Townsend and passed 3-0.

Black Beauty Coal Co.: A road bond release of 6.6 miles of road in the Francisco area was requested by Black Beauty Coal Co. at the December 2, 2008, meeting. The roads were inspected by two Commissioners and the Highway Superintendent. The acceptance of the roads back to the County was approved with a motion by Whitehead seconded by Townsend and passed 3-0.

RELEASE AND EXTENSION

Black Beauty Coal Company, LLC, an Indiana limited liability company, whose address is 7100 Eagle Crest Blvd., Evansville, IN 47715 and successor in interest to Black Beauty Coal Company, an Indiana General Partnership, hereby requests from Gibson County, Indiana, by and through its Board of Commissioners, a release of further responsibilities or obligations with respect to certain portions of Gibson County roads listed below, except as noted, and further agree and acknowledge that Black Beauty Coal Company has fulfilled the requirements stated in the applicable agreements, except as noted, and further agree and acknowledge that the respective bonds covering these portions of roads may be released as listed hereunder. Each road or portion thereof listed below is depicted on the attached Exhibit "A" map.

<u>A.</u>			<u>Agmt.</u>	<u>Length</u>		
<u>Co. Rd.</u>	<u>File No.</u>	<u>Type</u>	<u>In Feet</u>	<u>Bond Amt.</u>	<u>Bond No.</u>	
50N	7F	Closure	5,280	\$25,000	64S103188243BCM	

Commencing at a point 1,200 feet West of CR850E, thence West 5,280 feet (one mile), more or less, to the intersection with CR725E.

Black Beauty will maintain the existing haulroad/equipment crossing on CR50N with the center line located 400 feet, more or less, west of the intersection with CR650 for a period of five years from and after July 19, 2009.

<u>B.</u>			<u>Agmt.</u>	<u>Length</u>		
<u>Co. Rd.</u>	<u>File No.</u>	<u>Type</u>	<u>In Feet</u>	<u>Bond Amt.</u>	<u>Bond No.</u>	
50N	17F	Closure	2,640	See Below	1015855	

Commencing 1,320 feet east of the intersection of CR50N/CR650E and running thence East one-half mile along CR50N to the intersection with CR725E.

That one-mile portion of temporarily closed CR50N commencing at the intersection with CR550E and running thence east one mile along CR50N to the intersection with CR650E, will remain closed with the termination date being extended for a period of two years from and after January 1, 2009 and the total bond amount of \$30,000 will remain in effect.

<u>C.</u>			<u>Agmt.</u>	<u>Length</u>		
<u>Co. Rd.</u>	<u>File No.</u>	<u>Type</u>	<u>In Feet</u>	<u>Bond Amt.</u>	<u>Bond No.</u>	
750E	F7	Closure	3,960	\$15,000	64S103188244BCM	

Commencing at the intersection of CR750E/CR50N and running thence north for 3,960 feet (three-fourths mile).

Sheriff Harmon: Sheriff Harmon presented a Community Corrections Grant, which had been approved by the Community Corrections Board, for approval and a signature. This was approved with a motion by Whitehead seconded by Townsend and passed 3-0. At the December 2 meeting a request for a speed limit on a section of road was tabled due to confusion on the location. The Sheriff clarified that it is the frontage road at Highway Machine, a section of Old 41. After discussion it was found that a sign needed to be posted that the speed limit had already been set at 30 MPH.

Approval letter to INDOT: A letter to the IN Dept. of Transportation indicating the approval of the Commissioners on the proposed changes to the intersection of CR 350S and IN HWY 65. Marginet read the letter and a motion to approve was made by Whitehead seconded by Townsend and passed 3-0.

Annual Highway Bids: Jerry Stilwell questioned the validity of the Rudolph bid because of an escalation clause within their proposal. Jerry Heldt read his recommendations for acceptance of the different bids. Alternate Culver and Bridge Material: Southern Indiana supply, Inc and CPI Supply (supply list and quotes on file)

Sewer: CPI Supply (supply list and quotes on file)

Bituminous Cold Mix: none

Bituminous Hot Mix: Gohmann Asphalt & Construction, Inc., Hot Asphalt Concrete Mix F.O.B. the Plant

#5 base	66.00 per ton
#9 binder	66.00 per ton
#11 surface	70.00 per ton
Hot Asphalt Concrete Mix furnished and applied at location	
#5 base	70.00 per ton
#9 binder	70.00 per ton
#11 surface	73.35 per ton

Bituminous Materials: Asphalt Materials, Inc.

Product	FOB Lawrenceville, IL	FOB Gibson County, IN
RS-2, AE-90, AE-T, AE-PL	\$1.80 per gal.	\$1.8535 per gal.
AE-150	\$1.90 per gal.	\$1.9535 per gal.
AE-300	\$2.00 per gal.	\$2.0535 per gal.
HF-P (AE-90S)	\$2.10 per gal.	\$2.1535 per gal.
AE-P (Prime)	\$2.80 per gal.	\$2.8535 per gal.

Gas & Diesel Fuel: Superior Ag Resources Co-Op Inc		{all bids per gallon}
Diesel Fuel	\$2.139	(off road)
	\$2.264	(on road)
	\$2.289	(#1 dyed)
	[escalator clause applies to #1 dyed]	
Gasoline	\$1.918	(89 octane)
	\$1.848	(87 octane)

Sand and Gravel: Mulzer Crushed Stone, Inc.		K&K Excavating	Rogers Group, Inc
FOB Bidder's Yard		all bids per ton	
Pea Gravel	\$8.50	\$10.25	\$7.10
Road Gravel	\$9.35	\$11.25	\$9.25
#5 Coarse Gravel	nb	nb	\$9.55
Fill Sand	\$4.00	\$5.75	\$3.60
Delivered County Garage		all bids per ton	
Pea Gravel	\$14.45	\$11.75	\$11.15
Road Gravel	\$15.30	\$12.75	\$13.60
#5 Course Gravel	nb	nb	\$14.85
Fill Sand	\$9.55	\$9.00	\$7.95
Stone: Mulzer Crushed Stone, Inc.		K&K Excavating	
Delivered to County Highway Yard		all bids per ton	
#2	\$14.75	\$14.35	
#5	\$14.75	\$14.35	
#11	\$16.60	\$16.15	
#53	\$14.25	\$14.35	
Rip Rap	\$17.25	\$16.35	
FOB Bidder's Yard			
	Griffin	Newburgh	
#2	\$16.20	\$11.35	\$13.50
#5	\$16.20	\$11.35	\$13.50
#11	\$18.25	\$16.45	\$15.50
#53	\$15.70	\$11.25	\$13.50
Rip Rap	\$18.10	\$13.60	\$13.50
Delivered and tailgate spread at job site in County			
#2	\$16.95	\$16.90	
#5	\$16.95	\$16.90	
#11	\$18.90	\$17.90	
#53	\$16.75	\$16.90	
Rip Rap	\$20.30	\$18.90	

Old Business: Cathy Boerste presented the annual contract from Purdue University for the Extension Service. The contract was approved with a motion by Townsend seconded by Whitehead and passed 3-0.

New Business: Sheriff Harmon stated that the Community Corrections Grant did not require a signature. He presented a plaque to Sherrell Marginet from the Department in appreciation for his years of service to the County as a Commissioner. Harmon also notified the Board that the jail control board has gone down yet again and badly needs to be replaced. He has mentioned this several times to the Commissioners and the Council but he feels it is getting bad enough that something needs to be done. To replace the control board will take several months and the quote he had gotten three years ago was approximately \$350,000. Mark Dove, Commander at the jail told of all the problems and associated problems when the control board does go down. The equipment was installed in 1988 and the company is no longer in business and parts are no longer available for replacements. Harmon stated that is the control went out and there would be a need to evacuate the jail it would cost the County approximately \$4702 per day to house the inmates elsewhere. Councilman Allen asks Sheriff Harmon to get a ball park figure for replacing the controls to bring to the Council at their next meeting.

Alcohol Beverage Board Appointment: Bob Weisheit was appointed to this board with a motion by Whitehead seconded by Townsend and passed 3-0.

Michael Stevenson brought to the Board's attention that the construction of I69 in the southeastern corner of Gibson County will remove the HARN, high accuracy reference network, monument which is the only one in the County. Stevenson is going to write a letter to INDOT requesting this monument be replaced within the County.

Kanda Walden, County Health Director, recommended the re-appointment of Dr. M. S. Krishna to the Health Board and Dr. Bruce Brink, Jr. as the County Health Officer for the terms of 01/01/2009 to 12/31/2013. The appointments were made with a motion by Whitehead seconded by Townsend and passed 3-0.

Whitehead stated that he would like to put an end to the discussion on where the courthouse employees could park. He made a motion to allow county employees to park on the inside of the square around the courthouse, which is county property. The motion was seconded by Townsend and passed 3-0.

Steve Bottoms mentioned the problems that Barton Township area is having with the coal mine and wanted to bring to the Boards attention of possible new regulations by the State concerning some of the problems.

EMA: Terry Hedges reported that the County's mitigation plan has been approved and will ask for a resolution in 2009 for the plan.

Having no further business a motion to adjourn was made by Townsend seconded by Whitehead and passed 3-0.

N. Sherrell Marginet, Pres.

Don Whitehead, VP

Bob Townsend

Attested:

Mary B. Key